

BEFORE THE
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PUBLIC HEARING
FH-27-13(E)

NOTICE IS HEARBY GIVEN THAT pursuant to and interpreting ss. 29.739 and 29.740, Stats., the Department of Natural Resources will hold a public hearing on creating ch. NR 85, Wis. Adm. Code, in emergency rule Order FH-27-13(E) relating to development of a competitive grant program for cities, villages, towns, counties, federally recognized Indian tribes or bands located in this state, and fish farms in order to increase the capacity to raise walleye for stocking in Wisconsin waters.

NOTICE IS HEREBY FURTHER GIVEN THAT the hearings will be held on:

December 12, 2013
Thursday
1:00 p.m.

Marathon County Public Library, 300 North First Street
Wausau, WI 54403

December 19, 2013
Thursday
3:00 p.m.

Department of Natural Resources State Office Building, 101 S. Webster Street
Madison, WI 53707 Room G09

Availability of Rules and Submitting Comments:

The proposed rule supporting documents may be reviewed and comments electronically submitted at the following internet site: <http://adminrules.wisconsin.gov>. A copy of the proposed rules and supporting documents may also be obtained from Kate Strom Hiorns, Bureau of Fisheries Management, P.O. Box 7921, Madison, WI 53707 or dnrfishrules@wisconsin.gov.

Written comments on the proposed rule may be submitted via U.S. mail or email to Kate Strom Hiorns at the addresses noted above. Written comments, whether submitted electronically or by U.S. mail, will have the same weight and effect as oral statements presented at the public hearings. Comments may be submitted until December 19, 2013.

Analysis Prepared by the Department of Natural Resources:

This emergency rule is necessary to implement the grant program associated with the Wisconsin Walleye Initiative (WWI). *2013 Wisconsin Act 20*, the 2013-15 state budget, directed the department to create by administrative rule a competitive walleye production grant program and provided \$1 million annually in a new, biennial appropriation (total of \$2 million for the biennium). In addition, the state budget provided \$500,000 in fiscal year 2014-15 for the department to enter into contracts to purchase fish from a local governmental unit, tribe, band, or fish farm for stocking in waters of the state.

Section 1 of the rule creates ch. NR 85, Walleye Production Grants, that includes the following:

- Establishment of rules and procedures for the implementation and administration of a grant program that provides financial assistance to cities, villages, towns, and counties; to federally recognized Indian tribes or bands located in this state; and to private fish farms for increasing a grantee's capacity to raise walleye for stocking in the waters of the state.
- A list of eligible and ineligible costs for grant program reimbursement.
- Information required on grant applications and criteria and methods the department will use to determine grant awards.
- Elements that shall be included in grant agreements.
- Allowance for amendments from a grant agreement upon written request of the grantee, to require the grantee to maintain grant project records, and to terminate a grant agreement for just cause.

Agency contact person:

Kate Strom Hiorns
Department of Natural Resources
P.O. Box 7921

Madison, WI 53707-7921
Telephone: (608) 266-0828
Email: dnrfishrules@wisconsin.gov

NOTICE IS HEREBY FURTHER GIVEN THAT pursuant to ss. 227.114 and 227.137, Wis. Stats., the rule is not expected to have an adverse effect on the economy, a sector of the economy, productivity, jobs, or the overall economic competitiveness of the State. It will have a positive impact by providing \$1 million annually in the 2013-15 biennium to municipal and tribal fish hatcheries and private fish farms through a competitive grant program. Grants will be used for building and improving hatchery buildings, rearing ponds, equipment and other facilities. The rule may also have a positive economic effect on other businesses used by grantees to implement the grant projects, such as construction companies. The Department's Small Business Regulatory Coordinator may be contacted at SmallBusiness@dnr.state.wi.us or by calling (608) 266-1959.

NOTICE IS HEREBY FURTHER GIVEN THAT the Department has made a preliminary determination that this action does not involve significant adverse environmental effects and does not need an environmental analysis under ch. NR 150, Wis. Adm. Code. However, based on the comments received, the Department may prepare an environmental analysis before proceeding with the proposal. This environmental review document would summarize the Department's consideration of the impacts of the proposal and reasonable alternatives.

NOTICE IS HEREBY FURTHER GIVEN THAT pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of information material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call Kate Strom Hiorns at (608) 266-0828 with specific information on your request at least 10 days before the date of the scheduled hearing.

Dated at Madison, Wisconsin _____
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Cathy Stepp, Secretary